

Rep. Nadler Calls on AG Mukasey to Act on Report of DOJ Hiring Practices

Monday, 28 July 2008

WASHINGTON, D.C. — Congressman Jerrold Nadler (NY-08), Chair of the Judiciary Subcommittee on the Constitution, Civil Rights and Civil Liberties today called on Attorney General Michael Mukasey to act on the findings of a report issued by the Department of Justice's Office of the Inspector General and Office of Personal Responsibility Report titled, "An Investigation of Allegations of Politicized Hiring by Monica Goodling and Other Staff in the Office of the Attorney General."

"It is a sad day when we are given clear evidence that the Justice Department itself engaged in a partisan, political hiring campaign," said Rep. Nadler. "These violations of federal laws and internal policies present a prima facie case for a probe into these matters. The agency entrusted with enforcing our nation's laws must be above reproach."

"The nation's confidence in the Justice Department must be restored," Nadler added. "I call on Attorney General Mukasey to immediately begin an investigation into this matter, and to take any action — criminal or civil — to hold the responsible parties accountable. So long as these hiring decisions are permitted to stand, and so long as those responsible are not made to face the consequences of their actions, this scandal will continue to taint the work of the Justice Department."

Rep. Nadler's letter to the Attorney General follows:

Dear Mr. Attorney General:

I am writing to you about the report issued today by the Inspector General and the Office of Professional Responsibility on the results of their investigation into allegations of politicized hiring by Monica Goodling, Kyle Sampson, and other staff in the Office of the Attorney General.

The results of this investigation are deeply disturbing. The report chronicles the wide-spread and illegal use of political litmus tests in the screening and hiring of individuals for a variety of Justice Department positions.

For example, the report cited political cronyism that was "particularly damaging" in a vital counter terrorism post when a qualified expert was rejected because his wife had the wrong political affiliation. Instead a candidate was chosen who "lacked any experience in counter terrorism issues" and who other DoJ officials believed "was not qualified for the position."

A person's political affiliation, sexual orientation, or personal views on controversial issues is, and must be, irrelevant to career employment decisions in the Department of Justice, and that these considerations are rightly illegal.

It is illegal to screen candidates for career employment with the Department of Justice on the basis of their private beliefs or political affiliations. These illegal hiring decisions plainly require action by the Department. I urge you to take the following steps to rectify this wrongdoing:

1. Initiate civil actions against individuals where appropriate, and, where crimes have been committed, bring criminal prosecutions against the responsible individuals;
2. Review each hiring decision to determine which individuals were hired based on illegal criteria. Where an employment decision was made on an illegal basis, that employment decision should be reversed. To allow these employment decisions to stand would reward misconduct and political cronyism by allowing the beneficiaries, many of whom the Inspector General reports were unqualified, or who obtained their positions over more qualified candidates, become permanent fixtures in the federal government. The taxpayers are entitled to have the best, most qualified candidates dealing with the most important federal responsibilities, including enforcing our immigration laws, protecting national security, and enforcing criminal and civil rights statutes;
3. Review each hiring decision to determine what action the Department can take to provide redress to any individual who was denied a position for illegal reasons.

So long as these hiring decisions are permitted to stand, and so long as those responsible are not made to face the consequences of their actions, this scandal will continue to taint the work of the Department of Justice.

I urge you to act expeditiously to correct the terrible misconduct in the Department of Justice.

Thank you for your attention to this matter.

Sincerely,

Jerrold Nadler

Chairman

Subcommittee on the Constitution, Civil Rights and Civil
Liberties